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Subject: Application No.: 09/803,990 - Confirmation No.: 9375

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**Message:**

Please see the attached for the Examiner Interview scheduled for Wednesday, March 29, 2006 with Dr. Pazmandi.

Thank you.

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MAR 23 2006

To: Examiner Justin Shepard  
Re: Application No. 09/803,990  
Office Action Mailed 2/17/2006 ("the Office Action")

Applicants would like to thank the Examiner for scheduling a phone interview in the above matter for March 29 (10 a.m. Pacific Time). Below is a short summary of the issues to be discussed at the interview.

In the Office Action, the Examiner stated that:

[A]pplicant argues that the "Program Category" disclosed by Seidman is not the same as a "genre." (Office Action at page 2.)

Applicants respectfully note that the Examiner's statement misrepresents Applicants argument:

Neither Seidman nor Arsenault discloses the claimed reference identifier. Although Seidman discloses a Selection History Record (*FIG. 4 and col. 7:39-62*), it fails to disclose the reference identifier identifying a content description that is *separate* from the user action list and specifies a genre of the multimedia program. Instead, Seidman's Selection History Record *itself* specifies a Program Category. *Id.* (Response of 1/23/2006 at page 7. Emphasis added.)

The Office Action does not explain how Seidman discloses the claimed reference identifier. Instead, the Office Action points to FIG. 4 illustrating a Selection History Record (SHR) including parts 43-45. At best, parts 43-45 include a content description, such as program category 45. Seidman explicitly teaches that a "SHR for a 'tune begin' event records, in addition to the profile name, ... the program category." That is, Seidman's "program category" is part of the Selection History Record *itself*. The SHR, however, has no reference identifier identifying a content description that is *separate* from the user action list.